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BLISHMENT OF SCHOOL FOR TUBERCULAR HILDREN IN THE DISTRICT OF COLUMBIA

STANFORD LIBRARIES

HEARING

BEFORE THE

MMITTEE ON THE DISTRICT OF COLUMBIA
UNITED STATES SENATE

SIXTY-SEVENTH CONGRESS
SECOND SESSION

P93-21

ON

S. 3278 and S. 3322

LLS TO PROVIDE A SITE AND ERECTION OF A BUILDING FOR THE CARE OF TUBERCULAR PUPILS

MARCH 27, 1922

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ESTABLISHMENT OF SCHOOL FOR TUBERCULAR CHILDREN IN THE DISTRICT OF COLUMBIA.

MONDAY, MARCH 27, 1922.

UNITED STATES SENATE,
COMMITTEE ON THE DISTRICT OF COLUMBIA,
Washington, D. C.

The committee met at 2 o'clock p. m., Senator Arthur Capper presiding, in the committee room, Capitol.

Present: Senators Capper (acting chairman), Cameron, Gooding, Jones, King, and Stanley.

Present also: Col. Charles Keller, member of the Board of Commissioners of the District of Columbia.

Senator CAPPER. The committee is meeting to-day to consider Senate bills 3278 and 3322, both providing for the erection of a school for tubercular children. Senate bill 3278 provides that it be erected upon a specifically named tract, and Senate bill 3322 simply authorizes the Commissioners of the District of Columbia to erect such a building. The bills referred to, Senate bill 3278 and Senate bill 3322, may be incorporated in the record at this point.

[S. 3278, Sixty-seventh Congress, second session.]

A BILL To authorize and direct the Commissioners of the District of Columbia to erect a building for the care of tubercular pupils.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Commissioners of the District of Columbia are hereby authorized and directed to erect the building authorized in the appropriation "For the erection of a building for the care of tubercular pupils, $150,000," under the caption, "District of Columbia," in section 4 of the act entitled "An act making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1921, and prior fiscal years, and for other purposes," approved June 16, 1921, upon the tract of land comprised in squares twenty-eight hundred and eighteen, twenty-eight hundred and twenty, twenty-eight hundred and twenty-one, twenty-eight hundred and twenty-two, twenty-nine hundred and twelve, twenty-nine hundred and thirteen, twenty-nine hundred and fifteen, and twenty-nine hundred and sixteen, assessed as parcels 84/132 and 84/134, known as the Upshur Street tract, heretofore purchased for public purposes, the exact location of such building upon said tract to be that deemed most suitable by the Commissioners of the District of Columbia.

[S. 3322, Sixty-seventh Congress, second session.]

A BILL To provide a site in the District of Columbia for a building for the care of tubercular pupils.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Commissioners of the District of Columbia are hereby authorized to erect the building authorized in the appropriation "For the erection of a building for the care of tubercular pupils, $150,000," under the caption, "District of Columbia," in section 4 of the act entitled "An act making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1921, and prior fiscal years, and for other purposes," approved June 16, 1921, upon such tract of land now owned by the United States in the District of Columbia as may be agreed upon, with the Secretary of War, to be most suitable for the purpose, and the Secretary of War is hereby authorized to transfer to the Commissioners of the District of Columbia title to such tract, not exceeding five acres in extent, as a site for said building for the care of tubercular pupils..

SEC. 2. That the second paragraph of title "Community center department" of the District of Columbia appropriation act for the fiscal year ending June 30, 1923, is hereby amended so as to read as follows:

"For transportation by street car or motor vehicle for pupils attending schools for tubercular children, $5,000: *Provided*, That expenditures for car fares from this fund shall not be subject to the general limitations on the use of car fares covered by this act."

STATEMENT OF COL. CHARLES KELLER, MEMBER BOARD OF COMMISSIONERS OF THE DISTRICT OF COLUMBIA.

Senator CAPPER. Colonel Keller, we will be glad to hear from you on either or both of these bills. As I understand, bill 3278 is the bill that contemplates the erection of this tubercular institution on land now owned by the District, and those who appear against the bill are objecting to that location.

Colonel KELLER. Yes, sir. The Elkins bill proposes to locate on land belonging to the Federal Government, the exact site to be agreed upon, having in mind Fort Davis over in Anacostia.

Now, we do not object to that site at Fort Davis, but we want Congress to appreciate what that involves. It involves the necessity of making an agreement with the Federal Government, which is more or less conjectural, as to the use for that purpose of property belonging to the Federal Government, and it means putting it in a place where transportation conditions are by no means as favorable as they are on what is known as the Upshur Street tract.

Senator JONES. What land does the Government own in Anacostia?

Colonel KELLER. The site that has been discussed is Fort Davis, which is at the head of the street leading up south from the Pennsylvania Avenue bridge. There is another site over there, Fort du Pont, but it could be put to other uses and should not be considered as it is unsuitable.

Senator JONES. What is Fort Davis being used for?

Colonel KELLER. It is not being used at all, but is being turned over to the District of Columbia for use, and we have an arrangement with the director of the Botanical Gardens by which he is to come into possession of practically the entire reservation to the north of Alabama Avenue, for the purpose of using it in the propagation of such plants as he wishes to propagate.

Senator JONES. There would be plenty of room outside of that?

Colonel KELLER. Yes, sir.

Senator JONES. What did you mean when you referred to the difficulty of using Government property?

Colonel KELLER. It is not under their jurisdiction for that purpose.

Senator JONES. I know, but Congress can very easily change the purpose for which land is held, if it is not needed for that purpose.

Colonel KELLER. That property has been condemned for park purposes, as explained in our report. It is part of that park system that is to embrace some or all of the forts of the Civil War days, and adjacent land owners have been assessed for the park benefits. There were some objections to taking it. That is explained in our report, and that could be settled by reimbursing them pro tanto. They should be reimbursed for their proportionate part of the assessments.

Senator JONES. Would that site be surrounded by a settlement?

Colonel KELLER. It is not a thickly settled portion of the District. There are a few houses around there, but not very many, and none of them close. There would not be the houses up close to it that you would find there in the central part of the city. There are perhaps five or six houses in the immediate vicinity and they are scattered.

Senator JONES. There is not likely to be the amount of protest from the local people to the location of that building in that part of the District as there is in the other?

Colonel KELLER. The only protest they could justly make would be on the ground that they have been assessed for park purposes, and if they are reimbursed that would seem to settle that. The main objection is that it requires a special transportation system.

Senator JONES. How far is Fort Davis from the street car line?

Colonel KELLER. The street car line goes over the Pennsylvania Avenue Bridge, but does not go up the hill. The best arrangement would be to take the children from some central point, perhaps in the neighborhood of the Union Station, by bus, and carry them all the way through. That would be the best solution I can conceive of.

Senator JONES. How far is the Fort Davis site from the end of the bridge?

Colonel KELLER. A mile or a mile and a half up a very steep hill, too much of a walk for the children.

Senator JONES. It is up near the top of that hill?

Colonel KELLER. At the very top.

Senator JONES. Is it near where the road goes off to Leonardtown?

Colonel KELLER. It is right here. [Indicating on map.]

Senator CAPPER. How far is it from the Capitol?

Colonel KELLER. About 3 miles, between 3 and 4 miles from the center of town.

Senator KING. Do we need such a school here?

Colonel KELLER. Yes, sir.

Senator KING. We have none in my State. We have 600,000 people, and never have had a tubercular school.

Colonel KELLER. Under our local law these children who have tuberculosis are prohibited from going to school with other children, so we have to make separate arrangements for them, and we have now on the Bladensburg Road, just beyond the National Training School for Boys, a school called the Hamilton School which is devoted to tubercular children. That is objectionable, because the location is low, and because it is not a modern school. We have another one for colored children on Thirteenth Street, near the Children's Hospital. That appropriation was made nearly two years ago for the building, and we were given no money or authority to get a site. That meant that Congress desired us to take land belonging to the District. After canvassing the situation, we decided upon this site.

Senator KING. Are there objections to that?

Colonel KELLER. These gentlemen are here for the purpose of objecting very strenuously.

Senator KING. Why?

Colonel KELLER. They say it will impair the value of their property. I can not speak for them.

Senator CAPPER. That is known as the Upshur Street site?

Colonel KELLER. Yes, sir.

Senator CAPPER. I think it would be well to put in the record at this point the report of the District Commissioners on these bills. I will read it to the committee [reading]:

COMMISSIONERS OF THE DISTRICT OF COLUMBIA,
EXECUTIVE OFFICE,
Washington, March 27, 1922.

Hon. L. HEISLER BALL,
Chairman Committee on the District of Columbia,
United States Senate.

SIR: The Commissioners of the District of Columbia have the honor to submit the following on Senate bill 3278, Sixty-seventh Congress, second session, entitled "A bill to authorize and direct the Commissioners of the District of Columbia to erect a building for the care of tubercular pupils," which you referred to them for report as to the merits of the bill and the propriety of its passage.

The object of the bill is to specifically direct the Commissioners of the District of Columbia to erect a building for the care of tubercular pupils on a tract of land now owned by the District of Columbia, and described in the bill, for which an appropriation was made in the deficiency act, approved June 16, 1921.

This act contained the following appropriation: "For the erection of a building for the care of tubercular pupils, $150,000."

The appropriation did not authorize the purchase of any land upon which this school could be erected, and there is at present no specific legislation with reference to such site. When the matter of selecting a site was given consideration, the corporation counsel of the District of Columbia was asked for an opinion as to the power and discretion of the commissioners in the matter. He stated that the discretion of the commissioners in selecting a site on land owned by the District of Columbia was not limited by legislation. The commissioners thereupon made a careful survey of all land owned by the District of Columbia, available as a site for this school, and decided that the tract of ground referred to in this bill, upon which there is now located a tuberculosis hospital, was the most available and satisfactory site which could be selected. Their selection met with the approval of the board of education of the District of Columbia and the health officer of the District of Columbia. They thereupon began preparations for erecting the building on this site.

Property owners in the neighborhood made strenuous objections to this selection, and upon these objections being overruled by the commissioners, they appealed to the courts. An injunction has been issued against the commissioners against locating the building on the selected site, but the commissioners have appealed the case.

This appeal will not be heard by the court of appeals until some time in October, 1922. In order to prevent the delay in beginning the construction of this school, the commissioners felt that the legislation proposed by this bill was necessary.

Since the bill has been referred to them for report, they have granted a hearing to the property owners in the vicinity as represented by the Piney Branch Citizens' Association, and have heard the arguments of that association, and other interested parties against locating the building on the site selected. Nothing was developed in this hearing which would tend to change the opinion of the commissioners that the site was properly selected. The commissioners feel that Congress intended this building to be erected at the earliest practicable date, and had delegated to them the discretion to select a site upon which it should be erected. They believe that the discretion vested in them has been wisely exercised and that the site selected is the best, from all points of view, which could have been chosen without the purchase of land. The construction of a school has already been considerably delayed through the controversy over the site. No matter where the site, there would be local protest against it.

The commissioners do not think that real injury to the residents of the Piney Branch neighborhood could result from the construction of this school. They therefore believe that it is in the public interest that this bill should be enacted into law and, as far as permissible, they urge early and favorable action thereon.

Attention is invited to report of the commissioners on Senate bill 3322, which is on the same subject matter as the bill under consideration.

Very respectfully,

BOARD OF COMMISSIONERS OF THE DISTRICT OF COLUMBIA,
By CUNO H. RUDOLPH, *President*.

COMMISSIONERS OF THE DISTRICT OF COLUMBIA,
EXECUTIVE OFFICE,
Washington, March 27, 1922.

Hon. L. HEISLER BALL,
Chairman Committee on the District of Columbia,
United States Senate.

SIR: The Commissioners of the District of Columbia have the honor to submit the following on Senate bill 3322, Sixty-seventh Congress, second session, entitled "A bill to provide a site in the District of Columbia for a building for the care of tubercular pupils," which you referred to them for report as to the merits of the bill and the propriety of its passage.

The object of this bill is to provide a site in the District of Columbia for a building for the care of tubercular pupils. In the defficiency appropriation act approved June 16, 1921, there was contained an appropriation reading as follows: "For the erection of a building for the care of tubercular pupils, $150,000."

The appropriation did not authorize the purchase of any land upon which this school could be erected, and there is at present no specific legislation with reference to such site. The commissioners were advised by the corporation counsel that they had discretion to locate this school on any land owned by the District of Columbia. A creful survey was made of all such land, and it was decided to locate the building on ground owned by the District at Fourteenth and Upshur Streets, which is now partly occupied by the tuberculosis hospital. The selection of this site met with the approval of the board of education and the health officer of the District of Columbia, and preparations were made to erect the building on it. Property owners in the neighborhood made strenuous objections to this selection. Upon being overruled by the commissioners they appealed to the courts, and an injunction has been issued against the commissioners. The commissioners have appealed the case, but the appeal will not be heard until some time in October 1922. In order to prevent delay in beginning the construction of the school, the commissioners requested the introduction of legislation, which was introduced as Senate bill 3278, Sixty-seventh Congress, second session, and upon which they have made a favorable report.

Since then a hearing of the property owners in the vicinity has been held, and it was there suggested that the building be located on land owned by the United States. The particular land mentioned is at the intersection of Alabama and Pennsylvania Avenues, known as Fort Davis, which was acquired by the commissioners of the District of Columbia as a public park and subsequently transferred to the jurisdiction of the Chief of Engineers, United States Army.

The bill under consideration was introduced following the above hearing, and the commissioners are informed by the chairman of the school committee of the Piney

Branch Citizens' Association that the bill was introduced at his request. They understand that the site proposed in the bill is Fort Davis.

This tract was acquired by condemnation proceedings in 1914, under a law which provided that it should be a public park and that assessments therefor should be levied against abutting and surrounding property owners. These assessments were widely distributed. The commissioners do not believe that this site should be used even in part for a public-school building without proportionately abating these assessments, and the bill should, if enacted into law, be modified accordingly.

The commissioners do not know of any other land of the United States in the District of Columbia suitable for the location of this proposed school. Attention is invited to their report on Senate bill 3278, hereinbefore referred to.

Very respectfully,

BOARD OF COMMISSIONERS OF THE DISTRICT OF COLUMBIA,
By CUNO H. RUDOLPH, *President*.

Senator JONES. Did the court issue an injunction against it?

Colonel KELLER. Yes, sir.

Senator JONES. And you have to appeal from that?

Colonel. KELLER. Yes, sir. The appeal does not come up until some time next fall.

Senator JONES. Can you state the grounds of the court's decision?

Colonel KELLER. These gentlemen are probably better informed about it than I am. I merely know the fact of it. I understand in a general way that we were enjoined because of the sustaining of the court of the contention that this property out here was acquired by the District of Columbia for a specific use, and that that specific use did not include the construction of this kind of a school. I might add that, on the other hand, we are proposing to put the junior high school out there, and I do not think these gentlemen are going to come here and object to that. It is on a part of this same site.

Senator CAPPER. How large is that piece of ground?

Colonel KELLER. I think over eight acres.

Mr. EDGAR B. HENDERSON. Thirty-six acres altogether.

Senator JONES. What was that site acquired for?

Colonel KELLER. For hospital purposes, and the municipal hospital was built there. We had up the question of the construction of hospital facitities there, and Congress, for reasons with which I am not familiar, decided to put the psychopathic group at the foot of Massachusetts Avenue near where the Washington Asylum and Hospital now is. That was apparently done in order to meet the objections of the residents of that neighborhood, practically all of whom came out there after the United States had acquired that property, to having that hospital center in the vicinity.

Senator JONES. Your counsel is of the opinion that the decision of the court was wrong?

Colonel KELLER. Yes, sir. We took his advice before we attempted to select that site. He gave us his opinion that the commissioners were entirely within the law in placing the tubercular school at the place indicated on this map, on part of that tract.

Senator JONES. Do you call that a tubercular "school," and not a hospital?

Colonel KELLER. It is a school for children who are in the incipient stages of tuberculosis. They are not really tubercular, perhaps threatened with it, and must be taken care of. They are forbidden to go to the regular public schools, so we have to make special provision for them and we are doing it now.

Senator CAPPER. Can you tell us about how many you are likely to have for that school?

Colonel KELLER. I think there are between 40 and 50 now going to the Hamilton School.

Mr. HENDERSON. Thirty-six.

Colonel KELLER. The figures vary. They were first in the neighborhood of 50. Apparently, the number fluctuates. We are told by our health department that if we had a more favorably located school the number might go up somewhat, and we are building with the expectation of accommodating at least 75.

Senator CAPPER. Does that include both colored and white?

Colonel Keller. No, sir; only white. The colored children have a school on Thirteenth Street not very far from the Children's Hospital, on the west side of the street, and about a block and a half south.

Senator CAPPER. Do you know how many they have?

Colonel KELLER. I think between 30 and 40.

Senator JONES. Will the children be kept in the school building all the time?

Colonel KELLER. No, sir.

Senator JONES. Just during school hours?

Colonel KELLER. Just during school hours. They will have to travel back and forth between their homes and the school.

Senator JONES. That is the regular school course which they get, except they are segregated from the general public?

Colonel KELLER. I think it is the intention of the school authorities to maintain a course that is adapted to the physical powers of these children. They contemplate rest periods, and have cots for the children. They have arrangements made for conducting open-air schools on the terraces which are planned in connection with the school, and I presume they will have to make the routine a little bit less exacting and severe, in order to insure that these children are not taxed beyond their strength.

Senator JONES. Are these children kept together now in some other school?

Colonel KELLER. They are in the Hamilton School on the Bladensburg Road, to the east of the Mount Olivet Cemetery. That school has been condemned by all who have seen it as being unsuited for that purpose. It is a low site and an old school building, with no proper facilities for taking care of these children in their somewhat weakened condition.

Senator JONES. Are there no other pupils attending that school?

Colonel KELLER. No, sir.

Senator JONES. In other words, they are segregated?

Colonel KELLER. Yes, sir.

Senator JONES. The law requires that to be done?

Colonel KELLER. Yes, sir.

Senator CAPPER. You estimate the distance of the Anacostia site from the Capitol about 3 miles. What is the distance of the Upshur Street site?

Colonel KELLER. About the same.

Mr. HENDERSON. It is pretty close to 5 miles.

Colonel KELLER. I think if we measured the other distance it would be about the same.

Mr. HENDERSON. For some of the children that is true.

Senator JONES. How do you get the children to the Hamilton School now? Does the District take them out?

Colonel KELLER. No; they go there themselves, but we furnish street car fares, and that is permitted by law.

Senator JONES. That is the way you would expect them to get to the Upshur Street School?

Colonel KELLER. Yes, sir. We would furnish transportation for them there.

Senator CAPPER. What are the street car facilities for the two sites?

Colonel KELLER. Where the school now is there is a street car line on the Bladensburg Road, which goes out beyond the District boundary—one of the branches of the Washington Railway & Electric Co. With the Upshur Street site, the Fourteenth Street line is immediately west of the school, and we would arrange to have street cars stop for the benefit of these children at the nearest point. Then in addition they have the Georgia Avenue line, which would probably be the best part of three blocks away. You can see it on the map. We would put a stop wherever it would be most convenient for these children. The public utilities commission could attend to that.

The site in Anacostia that is contemplated by the Elkins bill is remote from any street car line. The nearest street car line is the line that circles this end of the Pennsylvania Avenue Bridge. That does not extend across the bridge, but there is a little line, independent of the other, which would demand an extra fare and only take the children part way. So the most efficient plan would be to centralize the children somewhere and pick them up in a bus and carry them as a body to the school. It would probably take two ordinary bus loads in the morning and two in the evening to carry them.

Senator CAPPER. I think we might hear from those who are protesting against the location of the school.

STATEMENT OF EDGAR B. HENDERSON, PRESIDENT PINEY BRANCH CITIZENS' ASSOCIATION.

Senator CAPPER. What is the membership of that association?

Mr. HENDERSON. Eight hundred. Here is a map you might have in your mind. It shows by red spots the locations of the homes of children who are now attending the school, with reference to the location of the Upshur Street site.

I think I can refresh Senator Jones's recollection on that matter, because he took quite an interest in the fight that took place in 1916 and 1917 in reference to the location of the municipal hospital on that site. The site was originally purchased

for the purpose of a municipal hospital. It was purchased when Fourteenth Street had not been extended, and no development had taken place in that vicinity. The people who conceived the idea of having it located there seem to have been short on prevision of what Washington was going to become in the next few years.

After a rather acrimonious fight in 1916, Congress determined that the institution for which that site was purchased should not go there, because of the objections of the people in the neighborhood. We think that by doing so they adopted a policy.

Senator JONES. I do not think that was exactly the reason why it was not put there. I think the main reason was because we had a site down here for it.

Mr. HENDERSON. That was an alternative.

Senator JONES. That was one of the main things, I think.

Mr. HENDERSON. At that time the item providing that it should not go there was this (reading):

[District appropriation act, March 3, 1917, 39 Stats., 1036.]

GALLINGER MUNICIPAL HOSPITAL.—Toward the construction of the Gallinger Municipal Hospital, including grading of the site, to be located on reservation numbered thirteen in the District of Columbia, * * * $500,000 * * *.

That the provision contained in the District of Columbia appropriation act for the fiscal year 1915 requiring that said hospital be located and erected at Fourteenth and Upshur Streets is hereby repealed.

There was an act of Congress excluding tubercular children from the regular public schools. So that it is not necessary for us to discuss here the question as to what extent tuberculosis is communicable by contact. The fact is that the parents of the children who are attending this junior high school, located somewhere along this tract, which will accommodate 1,000 children, will never be satisfied that other children coming here and coming in on the street car lines and coming onto the site from Allison Street up to here, will not injuriously come in contact with these children who are attending the tubercular school. So the question of whether the disease is communicable by contact is not important to be discussed now.

Because of the adoption of that provision by act of Congress a school for the white children who are afflicted with tuberculosis was established in the old Hamilton School on the Bladensburg Road. We are not committed to any particular location. This Fort Davis tract or any other particular tract, we are not committed to. We are like the man who might have a nuisance in his alley, and demanded that it be abated, but he is not going to advocate transferring it to such and such an alley in the neighboring block, or something of that kind.

We feel this is an objectionable institution to be brought into a neighborhood that is settled, as this one is, with a class of people who do not in any way contribute to the attendance of such a school. There is not a single child within a mile and a half of that site, and not a family in the territory of the Piney Branch Citizens' Association has a child who needs to go to such a school.

Senator JONES. That might indicate that would be a good site for it.

Mr. HENDERSON. So far as health is concerned, yes, sir, but we don't want to have any of it brought into our neighborhood.

Senator JONES. Would not every neighborhood be in the same condition? Would not every other neighborhood protest against putting it there?

Mr. HENDERSON. Surely. Our suggestion is that you make a selection where there is no neighborhood.

Senator JONES. Have you any such site in mind?

Mr. HENDERSON. There are various sites.

Senator JONES. Have you any other in mind besides the Fort Davis site?

Mr. HENDERSON. Fort du Pont is a much larger tract. There is also the tract occupied by the Boys National Training School.

Senator JONES. Would you want to put it near that school?

Mr. HENDERSON. I am not advocating that place, but the training school is on the top of the hill. I admit that so far as transportation facilities are concerned, and perhaps as a building site, the Hamilton School site is not desirable. I understand they only have a street car on that line once an hour. That means if a child gets there a minute after the car is gone it has to wait an hour for another car. Of course, that is very objectionable.

Our point with reference to the question of law spoken of by Colonel Keller is this: Congress made an appropriation for the purchase of this tract for a definite purpose. It has never changed its statement with reference to the purpose for which it was to be used, except in two instances. Once was by a specific act of Congress, when it was provided that a tubercular hospital should go there. In the same appropriation bill that carried that item of $150,000 for the school for tubercular children, it was

provided that a junior high school should go on that tract. But the item here for the tubercular school named no tract and carried no fund for purchase of a site.

Senator JONES. The tubercular hospital is there.

Mr. HENDERSON. Yes, sir. It is already found to be inadequate as to accommodation. It is only a hospital and not a sanatorium. We feel, and the people throughout the city generally feel, that the District of Columbia is very much behind any of the States in that it only provides for people who are about to die, and to let them die a little more comfortably than in their own homes. That is the logic of the use of this tubercular hospital. There is a provision of law for free clinics for tubercular people. There is no institution in the District of Columbia, or supported by or contributed to by the District of Columbia, for the purpose of treating children in the early stages of tuberculosis, a thing the District is to be criticized for.

Senator CAPPER. Do you claim Congress has no authority now to say that it wants a tubercular school built there?

Mr. HENDERSON. Not at all. Congress may do as it sees fit. We raised the point that under the language of the law under which this land was purchased the commissioners, without congressional sanction, could not place that institution there, and the court agreed with us.

Senator JONES. Under the law as it exists now there is no authority to put it there?

Mr. HENDERSON. That is it, exactly.

Senator CAPPER. But if this Congress makes an appropriation for that purpose, what would you say?

Mr. HENDERSON. There would be no question about the right of Congress to do it, or the right after the Congress acted for it to be constructed there.

We have objected, and our people are all back of it, to the location of this institution on that tract. We hope the time will come when Congress will see the wisdom of taking that tubercular hospital out of that territory and placing it outside of the District on a large tract where they can do all the things that ought to be done in a sanatorium for sufferers from tuberculosis. The fact that there is a provision for a junior high school would suggest the use of the entire tract for school purposes. That would be an ideal place for it. Measures have been passed by Congress to provide for a large graded school just south of that tract. It could be placed there. If some such use as that is not made of that tract it will necessitate the expenditure of much more money than the entire tract is worth to buy sites for other schools that might with advantage be located there.

There is another phase of the subject that we have not taken up with the commissioners. That is, there is a large number of colored children in the city who are also tubercular, and no provision has been made for a school for them, so far as I know, and it must be done. The persons in these families whose children are victims of tuberculosis are coming into the families of you gentlemen here as servants, and perhaps carrying the bacilli of the disease into all sorts of families in the city.

We have Members of Congress in that vicinity. The Treasurer of the United States recently bought a house near there. Nearly everybody who has bought over there in the last three years has been assured by the real estate people—of course, we are not responsible for them—that that tubercular hospital is going out, and you will have an opportunity to hear something from some of the people here with reference to their attitude, who have homes facing or in the immediate neighborhood of that tract.

So far as these two classes of tubercular children are concerned, the matter ought to be considered comprehensively with reference to both, and some sort of arrangement made so that both classes might be provided for. You can not deny them school facilities, and the law will not permit them to go to the regular public schools. I would recommend a tubercular sanitorium. I think that should be given consideration.

All these blocks up here are built up almost completely [indicating] There are houses all the way down here, and on Fourteenth until you strike Arkansas Avenue, this block is entirely built up with a fine class of residences. That is true of the entire territory. There is not a better developed, finer section in Washington than that is. Just north of there, in what is known as Saul's addition, is the largest tract in the city built up exclusively of detached houses, a great credit to the city. The people who occupy those houses are back of us and we are representing them here to-day, in objecting to any additional tubercular institutions, such as this institution, being placed in that territory. We feel that the day will come not far in the future in fact, it has already been announced that the hospital is not adequate for the demands upon it. The Anti-Tubercular Society has reported this year that that institution ought to be augmented, because it is not adequate. We don't want it augmented there. We want it transferred to a place where they can have an up-to-date plant, so people who are in the early stages can be cared for as well as those who are hopeless and dying. There were 140 people carried out of there dead last year.

There are several other people here who want to express their opinions with reference to their own interests.

Senator PHIPPS. May I ask a question for my own information? I was unable to get in when the hearing opened. I have not heard from this witness his reasons for objections on the part of residents of that neighborhood. They were no doubt given before I came in.

Senator CAPPER. I will be glad to have him restate them.

Senator PHIPPS. What are the objections.

Mr. HENDERSON. Our objections are that, laying aside the question of the communicability of the disease by having it in such a neighborhood, the children must come on the street-car lines and across to that school and mingle with the children from the other schools.

Senator PHIPPS. What is your reason for thinking it could be communicated by the mere fact of children suffering from it coming to a school building in that location?

Senator STANLEY. What is the distance between the tubercular school and the high school?

Mr. HENDERSON. Across here?

Senator STANLEY. Yes.

Mr. HENDERSON. About 650 feet. That is not the point.

Senator PHIPPS. Where would they come in contact with each other?

Mr. HENDERSON. They would be on the same car line. The children that would come to that school would come on the same car lines that would be used by the tubercular children.

Senator PHIPPS. Have you any medical evidence to convince you that the fact of a person sitting by the side of another person afflicted with tuberculosis is in danger of contracting the disease?

Mr. HENDERSON. We are not prepared to argue that question on a scientific basis.

Senator PHIPPS. I did not think you could.

Mr. HENDERSON. Congress has determined that these tubercular children shall not go to the regular public schools, which, it seems to me, is the adoption of the theory that is sufficient for us. Congress determined they should not go to the regular schools.

Senator PHIPPS. Do you know of any institution for the treatment of tuberculosis where any of the attendants, servants, or physicians have ever contracted tuberculosis by contact with the patient?

Mr. HENDERSON. There are a number of families whose children are now attending the school and have been attending the school, with as high as three from the same family in that school. Does that answer the question?

Senator PHIPPS. No; that does not answer the question. My question is, in the case of an institution, if you know of any instance where any physician or nurse or servant of the institution has acquired tuberculosis by reason of contact with the inmates?

Mr. HENDERSON. I have not been in a position to know anything about that.

Senator PHIPPS. I thought so. I have never heard of a case myself. I may say I ought to know a little bit about it. Over seventeen years ago I established an institution in Colorado for the treatment of tuberculosis, with a capacity of 150 patients. During those 17 years there has not been one case where any employee of the institution, with from 70 to 90 patients, or anyone in the neighborhood, has acquired the disease. I think you people are unduly alarmed about the location of this institution. You have a large, beautiful piece of ground there, naturally wooded, well drained, which could be beautified and made a beauty spot.

Mr. HENDERSON. We hope it will be.

Senator PHIPPS. One of the quickest ways to bring about that end and have that location improved out there is to have suitable Government institutions established on the ground, and this would be one of them.

Mr. HENDERSON. We are very anxious to have the new McKinley Training School located there, which needs a site.

Senator PHIPPS. That is a much better adapted site in the neighborhood belonging to the Government, and within half a dozen blocks.

Colonel KELLER. He does not mean that school. He means the building for the McKinley Technical High School.

Senator PHIPPS. There is ample ground in the same block between Varnum and Webster Streets.

Colonel KELLER. Yes, sir.

Mr. HENDERSON. I am not prepared to argue the scientific question, but you can not satisfy the mothers of the children who attend that school.

Senator PHIPPS. Can you satisfy the mothers in the other parts of the District that it should belocated somewhere else?

Mr. HENDERSON. We would all join with any other neighborhood built up like this one in objecting to the location of that institution in that neighborhood.

Senator PHIPPS. Where would you take these children—into Virginia or Maryland?

Mr. HENDERSON. There are places in the District not built up.

Senator PHIPPS. But people own property there just the same as your people own their property. They have their interest in it.

Mr. HENDERSON. Yes, sir.

Senator PHIPPS. From your standpoint they could argue, if we should establish it there, that it would ruin the prospective value of their property.

Mr. HENDERSON. Yes, sir; it might.

Senator STANLEY. As I understand, Senator, the difference between these two schools, as to the communicability of tuberculosis, depends on whether or not they allow the sputum to fly for a certain distance and be breathed by somebody else.

Senator PHIPPS. Yes.

Senator STANLEY. That they claim is communicable, and they do not contend there is a probability of infection within a short distance.

Senator PHIPPS. The way that is cared for is that in institutions for the treatment of tuberculosis—and, naturally, this school would be cared for along the same lines—the very first thing is to teach the inmates they must not expectorate on the ground or any other places other than the receptacle provided for that purpose.

Senator STANLEY. I understand, but if they do not do that and the sputum is allowed to dry and the bacilli are carried in the air and breathed by other persons, do you hold in that case it is not communicable?

Senator PHIPPS. No. I concede that it very probably is.

Senator STANLEY. In that case it is communicable within a comparatively short distance, is it not?

Senator PHIPPS. Not necessarily. It will go to a considerable distance, undoubtedly.

Senator STANLEY. Do you think it is communicable in a distance of 150 feet?

Senator PHIPPS. Yes, I think so; considerably more than that.

Mr. HENDERSON. There is another thing I forgot to mention. I think that, regardless of where this institution is located, they should be furnished with transportation, and should not be required or permitted to use the street cars to any greater extent than is necessary. The Elkins bill covers that phase of the subject.

I know the Modern Woodmen Sanitarium in your State, Senator Phipps, has been very successful.

Senator PHIPPS. Yes; it is a very good institution.

Mr. HENDERSON. I would like to see such an institution as that for these people here.

Senator PHIPPS. Where would you put it?

Mr. HENDERSON. Outside the District.

Senator PHIPPS. In Virginia or Maryland?

Mr. HENDERSON. Yes, sir.

Senator PHIPPS. Then it depends on whose ox is being gored.

Mr. HENDERSON. They would not object. There are plenty of places where it is isolated from residences.

Senator STANLEY. How are you going to get the children there?

Mr. HENDERSON. I mean the tubercular hospital, not the school. I think there ought to be a place somewhere, so far from a residence district as not to be objectionable, except from a real estate standpoint—of course, you always meet with that objection—where it could not be objected to by people who are living there. I think that ought to be the solution. Have the children transported there and not carried back and forth every day and every night on the street cars that everybody else is using. The children would be using these street cars to go to the high school, using it on Fourteenth Street to go to the west schools. We don't want the children that come to those schools to come in contact with these children on the cars or streets, and don't want such an institution in the neighborhood because of that.

Here is a protest signed by 38 people living on Iowa Avenue in that neighborhood.

Senator CAPPER. That may be placed in the record.

(The document referred to is here printed in full, as follows:)

WASHINGTON, D. C., *March 25, 1922.*

Hon. L. H. BALL,
Chairman Senate District Committee,
Washington, D. C.

DEAR SIR: The undersigned, being residents and property owners in the vicinity of the Upshur Street tract, whereon it is proposed by Senate bill 3278 to erect a building for the care of tubercular pupils, do hereby respectfully object to the erection of such building on said tract and hereby ask for a hearing by your committee on said

bill at some appropriate time to be fixed by your committee when we can have an opportunity of presenting our objections in full. Briefly, we believe the erection of such a building is an eminently proper thing if not located in a vicinity where healthy children and persons are living. We understand that there will be a junior high school built on the adjoining property and will be attended by 1,500 healthy children, and if the tubercular building is erected as proposed it will not only subject these healthy children and people to contagion but will also greatly depreciate the value of the many fine private residences already built and now occupied in the vicinity. There are, it is respectfully submitted, other and better publicly owned sites available for the purpose of a tubercular school, as, for instance, at Fort Dupont, near Anacostia, or on the Bladensburg Road near the Industrial School for Boys. The Upshur Street tract is in one of the thickly populated sections of the city, which will be completely ruined by the erection of a tubercular school.

Thanking you for your consideration in this matter, we beg to be,

Very respectfully yours,

George E. McCann, 1017 Webster Street; David Eden, 1013 Webster Street; E. W. Eden, 1013 Webster Street; Charlotte M. Bass, 4327 Iowa Avenue; William P. Killeen, 4415 Iowa Avenue; Wm. P. Hartley, 4413 Iowa Avenue; Wm. M. Bennett, 4411, Iowa Avenue NW.; A. G. Jackson, 4405 Iowa Avenue NW.; W. A. Gundaker, 4401 Iowa Avenue NW.; Harry L. Andersen, 1011 Webster Street NW.; Mrs. Frank Morrison, 4323 Iowa Avenue NW.; Fayette Johnson, 4367 Iowa Avenue NW.; Walter G. Hurley, 4315 Iowa Avenue; H. Noack, 4407 Iowa Avenue NW.; Jas. H. Kelley, 4419 Iowa Avenue NW.; G. Kaminkovitz, 4423 Iowa Avenue NW.; J. Grieb, 4425 Iowa Avenue NW.; Gertrude Probert, 4509 Iowa Avenue; Elgin Smith, 4511 Iowa Avenue; W. B. Fry, 4513 Iowa Avenue NW.; Wm. Gutshall, 4567 Iowa Avenue NW.; T. W. Henry, 4417 Iowa Avenue NW.; E. G. Taggart, 4519 Iowa Avenue NW.; J. W. Shea, 4427 Iowa Avenue NW.; Robert C. Dalrymple, 4521 Iowa Avenue; John J. Hartman, 4523 Iowa Avenue NW.; I. C. Franklin, 4529 Iowa Avenue; L. C. Faunce, 4531 Iowa Avenue; Ida M. Beagle, 4533 Iowa Avenue NW.; Earle O. Baker, 4510 Iowa Avenue NW.; William J. Kellinger, 4508 Iowa Avenue NW.; Robert Miller, 4500 Thirteenth Street NW.; Jos. R. King, 4502 Thirteenth Street NW.; Chas. W. King, sr., 1301 Allison Street; Mrs. Anna E. Haislip, 4512 Thirteenth Street NW.; Chas. O. Volland, 4516 Thirteenth Street NW.; Clara Young, 4518 Thirteenth Street NW.; F. W. Hoover, 4409 Iowa Avenue.

STATEMENT OF MRS. J. H. PELLEN.

Mrs. PELLEN. In reference to the hospital, no one knows any more about it than Doctor Tewksbury, who was superintendent there ever since it was founded, and one of the nurses to whom I spoke. He says he does not think the hospital should remain as it is. He has forbidden the patients, as well as the nurses, to come on Fourteenth Street at all. To-day, after I had my hat on to come here, two nurses went past on Fourteenth Street.

You asked whether we ever knew of any who contracted tuberculosis.

Senator PHIPPS. Yes.

Mrs. PELLEN. Of course, those nurses who have been there so long, when their vitality is lowered they leave. They don't wait until they get it. Of course, your conditions in Colorado are very much different from our conditions here.

Senator PHIPPS. We admit that frankly, and claim special conditions that are favorable. I do not think that affects the question as to whether or not personal contact will result in the disease being communicated.

Mrs. PELLEN. The president of the Rapid Transit Co. has taken a great interest in it, and he feels that his business depends on it, as well as we feel that our interests are there. He is willing to donate a bus of the value of $5,000 if the site is moved somewhere else. He suggested near the reform school, and that seems to me an ideal location. There are no houses immediately near. If the land was bought, they are nothing but shanties.

Senator PHIPPS. You say Doctor Tewksbury is in charge of the tubercular hospital?

Mrs. PELLEN. Until the last few months. I think he has moved away. He was there over 10 years as superintendent of it.

Senator PHIPPS. And he issued an order preventing the nurses from going on to the public streets?

Mrs. PELLEN. Not allowing them to go to moving pictures or to show themselves on Fourteenth Street, because we objected to it very strenuously. One of the nurses told me they were not allowed to walk on Fourteenth Street, and patients were not allowed to go over there. I see them over there often. They have on their uniforms.

It seems to me a tubercular child needs care rather than education.

Five years ago when we came before the committee they promised us they would never place any objectionable buildings on that reservation.

STATEMENT OF MR. W. B. KERKAM.

Mr. KERKAM. I am a resident of Piney Branch and a member of the Piney Branch Citizens Association, just north of this reservation.

We have in that general section out there a body of land lying between Rock Creek Park on one side and the Soldiers' Home on the other, a sort of a neck of the bottle. In the last 10 years that section has built up into high-class homes. It is an ideal section. We are tapped on one side by the Sixteenth Street boulevard, and Fourteenth Street goes by and Georgia Avenue comes out this way [indicating on map]. It is growing very rapidly and the prices of property are increasing very rapidly. It is becoming more and more desirable. It is high and cool and within good, reasonable reach of the city. We have felt for a long time that the hospital there was improperly situated and that, as the Senator from Colorado will probably agree, it should be on some high spot.

Senator PHIPPS. You just said it is high in that section.

Mr. KERKAM. There are lots of high spots that are available. As between placing an additional undesirable building or institution in that place, and placing it at some equal distance from the center of population where it would not be located in such a congested place, I think there could be no argument. Instead of putting a tubercular school right here in the center of property values that run from a dollar a foot up, and placing it at an equal distance, 3 or 4 or 5 miles, where the property values are about 10 or 15 cents a foot, it seems to me there could be no real argument. The commissioner has pointed out a very desirable spot, it seems to me, from an economic standpoint in this Fort Davis site. It would not be at all difficult to get the children there with a bus line. They can not go to the public schools, and they could be picked up at some central point and carried over there.

Senator PHIPPS. How would they arrive at the central point to be picked up?

Mr. KERKAM. That is something I can not dispose of offhand. I suppose they would be able to walk and get around. They could probably reach that point without a great deal of difficulty, I should think, Senator. If at 8.30 the bus was to be at a certain place, they would probably be there. There are 30 or 40 of these children, a very small number. I think this Fort Davis site has all the requirements. It might be it would increase the value of that property at Fort Davis. It certainly would not increase the value of our property.

Senator PHIPPS. Would it decrease the value of your property?

Mr. KERKAM. We think so, very decidedly. I will prophesy that there will be a very large percentage of the people in that immediate neighborhood who will sell their property and move away.

Senator PHIPPS. I do not think that has been the experience in other cities where similar institutions have been located.

Mr. KERKAM. It might not have been in your State, where you live under different conditions from what we do here.

Senator PHIPPS. I was not speaking of Denver when I made that statement.

Mr. KERKAM. This whole situation is right in the middle of a very thickly settled community. We have the junior high school started there. We have need of other schools, and that would be an ideal location for that use.

Senator PHIPPS. Yes; but you make the statement that you believe that establishing a public school there for these children suffering from tuberculosis would decrease your property values.

Mr. KERKAM. Yes.

Senator PHIPPS. I would like to know on what you base that.

Mr. KERKAM. On the fact that the neighborhood would be less desirable.

Senator PHIPPS. From what standpoint? What is the argument that you support that statement with? Have you any data from other cities?

Mr. HENDERSON. No, sir. We have just a repugnance to being located close to tuberculosis. I think there has been a lot of discussion with respect to the danger of it, the communicability of it.

Senator PHIPPS. That is no evidence of danger. We do not want to be alarmed by shadows.

Mr. KERKAM. As a matter of fact, people are frequently alarmed by shadows. We see the tangible result of the ravages of tuberculosis. We see the dead bodies being carried out of that hospital, and the buzzards flying over.

Senator PHIPPS. I see buzzards flying around in the section where I live, out in Woodley Park.

Mr. PABST. Do you ever see 20 of them at one time?

Senator PHIPPS. Yes; I can count that number many times, and not by reason of any dead bodies being carried out from any of the residences there.

Senator JONES. Your property has increased in value largely since that hospital was put there?

Mr. KERKAM. Property has increased largely since that, yes, sir. There is no question about that. I think a good deal of that has been due to the feeling that the hospital was going away. When this fight came up in 1916 we had strong reason to believe—I was not sufficiently familiar with it to know on what it was based—that that tract would ultimately be devoted to other purposes than that of a tubercular hospital. I think property values have increased since then. But it seems to me that as between putting that school which will be fixing and nailing down that hospital, in that congested beautiful site, and putting it over by Fort Davis as the commissioner has suggested, where it would be in an outlying district, there should be no real comparison.

STATEMENT OF MR. W. O. TUFTS.

Mr. TUFTS. I live on the corner of Buchanan Street and Iowa Avenue, about a block from the edge of this reservation. As indicated by a previous speaker, we are in a neck of the bottle, with the Soldiers' Home on one side and Rock Creek Park on the other. We have practically no small parks in any portion of the district which would be available. The district has become thickly populated. It is quite thickly populated now. We are desirous of having that maintained for a school center, and if possible, removing the tubercular hospital from that place. That would seem to be worth considering.

I don't want to take up property values, but I do want to emphasize the argument of healthy and sick children. We are fathers and parents of children who are healthy and well. There is not a pupil in the present tubercular school within a mile and a half of the proposed location. We may be influenced by shadows. I confess my own repugnance to such a school is considerable and may be because of shadows, but certainly the law providing for the segregation of such children forms a basis for such a fear. There would not have been such a law unless there was some reason in the minds of the legislators.

From the point of view of the sick children, I think they have been neglected somewhat in our argument. There are 36 attending the tubercular school. There might be a larger number if it is located at a better place and better facilities afforded. I think we are neglecting them somewhat in our attitude. I think they are entitled to every possible care that can be given them.

The appropriation is made for $150,000. I think it would be the most unfortunate idea possible to locate that school within a few hundred feet of this tubercular hospital with an average of three deaths a week taking place throughout the year. For children of that age in the incipient stages the psychological influence would be very bad, I am sure, seeing these old cases passing out regularly three a week, concentrating their thought on their own condition. I believe that modern treatment will hold that we should have the mind as free as possible from all thought of fear or trouble in regard to our own cases. Certainly such an influence would be most unfortunate. We want them to have the best possible opportunity.

For that reason, I believe that is not an ideal location, but it should be on high ground and in an accessible place and transportation should be provided, as indicated in the Elkins bill. We do not emphasize any one location. We believe there are a number of large areas now in public ownership which are suitable for that purpose, more suitable than in this district which is becoming congested, and we feel we have a right for protection for our own children.

Senator PHIPPS. You are the father of children?

Mr. TUFTS. I have two children.

Senator PHIPPS. And you think it is probable that when they go to public schools, near the school attended by these children known to be affected with tuberculosis, they would be in danger?

Mr. TUFTS. I do.

Senator PHIPPS. Put yourself for a moment in the place of a father who has a child suffering from that disease.

Mr. TUFTS. Yes, sir.

Senator PHIPPS. What should be done with that child? You think everything possible should be done for that child?

Mr. TUFTS. Yes, sir.

Senator PHIPPS. You think it is the duty of the District to provide proper schools and proper environment?

Mr. TUFTS. I do.

Senator PHIPPS. Then it is a question of location.

Mr. TUFTS. This is a question of location and proper transportation, segregating children and not permitting them to come in contact with children who are normally well.

Senator PHIPPS. Is it your feeling that there is any section of the city that would be convenient of access, where the same objection would not be urged by the residents of that particular locality?

Mr. TUFTS. My point is, sir, that with modern bus transportation it is not necessary to have it centrally located or easy of access. The bus transportation makes it possible to put it in outlying sections.

Senator PHIPPS. How many busses do you imagine it would require to take care of the 36 children?

Mr. TUFTS. Certainly not over two. I think one could probably care for them.

Senator PHIPPS. How would one care for the entire city and pick up the children? There would have to be some central point.

Mr. TUFTS. They would have to have some station. There would probably be three or four central points the bus could make before starting on the trip.

We have shown the present location of tubercular families with children now going to the Hamilton School.

STATEMENT OF MR. CLINTON R. THOMPSON.

Mr. THOMPSON. If this school goes on this tract, it will be followed by other institutions, and that will make that tract a permanent tubercular center. Our hope has been and still is that some day the hospital may be removed from there.

The estimates from the Board of Education included an item of $250,000 for the McKinley Manual Training School. It was not approved by the commissioners. The Business High School is in a very congested condition, equal to that of the training school, and there must be a new one. A new home is very much needed for both of them, and it would save a half a million dollars in sites alone if those two buildings are placed on this tract.

There would also be marked economy in administration and overhead expense. There are three schools contemplated, noncompetitive, the junior high school, the McKinley Manual Training School, and the Business High School. One principal could have general charge of the whole school community, making the total salary expense much less than it is at present.

The question of transportation is ideal for the use of that tract as a school center. Fourteenth Street is on one side and Georgia Avenue on the other. The children would come to school in the morning while the business people were going down town, and in the evening they would take the empty cars going down town while the crowd was coming home. It seems to me there would be a saving of $500,000 for that school development program advocated by the chairman of this committee. That is somewhat apart from the health argument, but I think it is proper to consider.

Senator JONES. Can you give us an approximate estimate of the cost of the hospital building now located on that tract?

Mr. THOMPSON. I presume that building cost about $100,000.

Senator JONES. Colonel Keller, could you tell us about the value of the hospital building?

Colonel KELLER. I think one building must have cost at least $250,000. It is a modern fireproof building.

Senator PHIPPS. Certainly nearer that than $100,000.

Colonel KELLER. We are building now a more elaborate institution near the Anacostia River, which will cost well over a million and a half. I should say our investment there is at least $250,000 and probably more, but I can place the exact figures in the record.

Senator JONES. I just wanted you to approximate it.

Mr. THOMPSON. That would involve the care of tubercular patients in some other place. They might be sent out to private institutions on contract, much in the same way as our returned soldiers. I don't know what the cost of that is. I think the increase in cost would be very small, and the fact that those patients would be in a more salu[illegible] would more than compensate for the slight increase in cost.

Senator PHIPPS. Is it not your understanding that the idea of this school for tubercular children is to take care of the incipient cases, where it is not necessary to separate the children from their family, and not to provide for those who need institutional care?

Mr. THOMPSON. I am not advocating having the children sent out of the District. I am speaking of the hospital patients. I think the children ought to be cared for within the District, where they could go to their homes every night.

Senator PHIPPS. What is your idea in figuring out $250,000 each for two institutions where you claim that would mean a saving of that amount? Are you talking about the cost of the property that would be required to erect new buildings on?

Mr. THOMPSON. Yes, sir; the cost of the sites alone.

Senator PHIPPS. I know they are extravagant, but I do not think the commissioners have gone that far yet.

Colonel KELLER. We have an estimate which was submitted to Congress last year for a high school. The Board of Education did submit an estimate of $250,000 for a site for the construction of another high school.

Mr. THOMPSON. I presume a similar cost would be laid against erecting the Business High School.

Senator PHIPPS. I am sorry that did not come up in the form of an estimate, so we might have had the pleasure of turning it down. I think that is unreasonable.

Mr. THOMPSON. They asked for it but it was refused.

Senator JONES. The value of the land in that territory has increased very rapidly?

Mr. THOMPSON. Yes, sir.

Senator JONES. And the need for schools out there has increased very rapidly?

Mr. THOMPSON. Yes, sir.

Senator JONES. I can very well see how the cost of a site for a school out there would be pretty high.

Mr. THOMPSON. Yes, sir.

Senator STANLEY. How many acres are in that tract?

Mr. THOMPSON. Thirty-six acres in the entire tract.

Senator STANLEY. If you should take the tubercular hospital away, what would that tract sell for?

Mr. THOMPSON. It is worth $300,000. It was assessed at $196,000.

Senator STANLEY. Thirty acres of land on Fourteenth Street which can be bought for $300,000? That is enough for 10 schools. Why should we pay $250,000 for a site? There are very few places in the city where land costs more than it does out there. That is one of the most costly sections of the city.

Mr. THOMPSON. Yes, sir.

Senator STANLEY. If you can get 30 acres for $300,000, where would you put a school for $250,000, unless on Pennsylvania Avenue?

Senator JONES. In buying a site in that section for a school you have to buy the buildings along with it and remove them.

Mr. THOMPSON. That is a vacant tract with no buildings on it except the hospital. I think the salvage value of the brick in the hospital is something worth considering.

Senator JONES. I would suggest, Mr. Chairman, that unless somebody has something new to present there is no need of repeating what has been previously said.

Senator CAPPER. I think that is true.

STATEMENT OF E. P. PABST.

Mr. PABST. In regard to values, take Taylor Street, Upshur Street, Varnum Street, Webster Street, and Allison Street east of Fourteenth Street 125 feet, and that land will readily sell for from 60 to 75 cents a square foot. Take the tubercular hospital away and it would sell for 80 cents a foot. At the present time, if the tubercular hospital remains there and the proposed school is located there, I don't believe the immediate land around there will bring 50 cents a foot.

Senator PHIPPS. How about the Arkansas Avenue frontage? What would be your estimate there?

Mr. PABST. That is in the sewer valley there. The large trunk sewer comes down from Saul's addition through that. That land is held at 47 cents a foot. If the tubercular institutions stay there, it will not sell for 47 cents. Take away the tubercular institutions, and it will sell for 75 cents readily.

Senator JONES. You think that land would be worth about $35,000 an acre?

Mr. PABST. My memory fails me on that.

Senator JONES. There are over 43,000 square feet in an acre, and at 80 cents a foot it would be about $35,000 an acre. That would be over a million dollars.

Mr. PABST. I say if that land is not used for the Business High School and the other schools that are necessary there instead of making it a hospital center, it will have a bad effect on the values. We need the playgrounds and need them badly right now. We haven't got them. To acquire a tract of land similar to that you would have to go up into the millions, because you would have to buy the buildings together with the land. On the corner of Randolph Street, the first street south of Sheppard, that land is held at $3 a square foot, because it is farther from the tubercular hospital. Recently I offered a house for sale there, and that will answer the Senator from Colorado's reference to values and as to what evidence we had of the effect of that institution on the price of land. The man was about to buy when he realized the nearness of that tubercular hospital, and he had been told there was a tubercular school coming there. He said he would not give 10 cents on a dollar for what his former price had been for it, to occupy it.

That same feeling exists with thousands of people. I predict that if that school goes there and that is made a tubercular center instead of an educational center, it will necessitate the healthy people of our city working along constructive lines to make this what all civilization is looking up to and expecting it to be.

In regard to the expenditure, there can be no comparison between putting it on land worth 10 cents a foot instead of that land worth nearly a dollar a foot, that it will be if you take that institution away. I say for the best interests of the Government and the city of Washington, it would be a crime to make that a tubercular center. I say the interests of Washington will not be served in a comprehensive way if that is made a tubercular center, instead of it being permitted to remain a healthy center, as God created it to be.

STATEMENT OF MR. T. A. WHITTEN.

Mr. WHITTEN. One thing that has not been emphasized very much. That is what you are going to do with this property. Are you going to use it exclusively for tubercular hospital and school purposes, or are you going to use part of it for a small number of children that you will have to mix up with children going to other institutions? I understand there are only about 36 children in the tubercular school now. Will you build a school for that small number and keep the entire tract for that purpose? It is a question of what you are going to do with the other property.

As has been suggested here to-day, the property on Sixteenth and west of Sixteenth is rapidly developing now. They are needing more school facilities and the children do not have all-day schools in some instances. It has been necessary to rent buildings. While we have available property on which to locate them, it seems to me the logic would be to reserve that particular tract for educational purposes—high-school purposes. We will need a high school there in the very near future and I think it should be reserved entirely for educational purposes and not be made a nuisance.

Senator CAPPER. I think that will close the hearing.

Senator PHIPPS. Where are the parents who are interested in having these children cared for in the public schools? I think we should have an expression of opinion from them as to where the children should be cared for in school.

Senator STANLEY. I think that is a very important suggestion.

Senator CAPPER. I do not know very much about this hearing. Senator Ball was in charge but could not be here to-day, and asked me to take charge of it.

Mr. SEYMOUR (secretary chamber of commerce). I doubt very much whether those parents know of this hearing.

Senator PHIPPS. I should think before the committee makes a recommendation on the bill we should hear the other side of the story.

Senator CAPPER. I think this hearing to-day was called to give the people protesting an opportunity to present their views. I do not believe the committee intended to go into the merits of the case.

Senator PHIPPS. Very well. I suggest the committee go into the merits of the case afterwards.

SUPPLEMENTAL STATEMENT OF COL. CHARLES KELLER, MEMBER BOARD OF COMMISSIONERS OF THE DISTRICT OF COLUMBIA.

Senator CAPPER. Have you made all the statement you care to make, Colonel Keller?

Colonel KELLER. Yes, sir. The commission has made a report and I have nothing to add to what I have already said. They were ordered by Congress to do a certain thing and they are trying to do it to the best of their ability. The only thing I could add that should command any interest is that in our opinion this matter ought to be

done soon. We are ready to advertise for proposals for that school. The plans and specifications are finished. It has been some time since the appropriation was made. Any further delay in the matter would be very objectionable to all concerned.

Senator CAPPER. Can you go ahead in the face of the court injunction?

Colonel KELLER. The bill directed the commissioners to construct this school on a site now belonging to the District of Columbia, to which objection is made by these gentlemen, which was included in the report of the commissioners for the purpose of getting a prompt decision. Quite naturally it is within the power of Congress to remove the ground upon which the injunction was based. It was based upon the fact that in the opinion of the court the commissioners were without authority of law to construct that school at that place. Our idea was that by having the Phipps bill passed the ground for the injunction would cease to exist, and we could then appear before the judge who made the temporary order and ask him to vacate it, which, undoubtedly, he would do.

Senator STANLEY. What is the value of that land proposed to be taken out there?

Colonel KELLER. Some of these gentlemen have testified it is worth from 70 to 80 cents a square foot. I presume that would not include the entire tract. The Fourteenth Street frontage on the east side is worth less. It may be worth 50 cents, but it would be worth in the neighborhood of $22,000 an acre and there are thirty-odd acres. The value of the tract would be about $750,000, I should imagine.

Senator STANLEY. My sympathies are all with the tubercular children, but I do not believe in ghosts. I doubt very much whether tuberculosis is communicable to any degree, under those circumstances, to people adjacent. I looked at some property, with a view of purchasing it, near this hospital, and they told us it could be bought for very much less than it was really worth on account of the fact that it was adjacent to the hospital. I said I did not care anything about that. My wife said, "I have three boys and I do." That ended that purchase. She was afriad of ghosts and I was not, but we did not buy that property.

You are spending a million dollars, you have a million dollars worth of property there to take care of 35 children. How much is that per capita?

Colonel KELLER. About $30,000.

Senator STANLEY. We are handling public money and want to be benevolent, but that is a good deal of money to pay per capita, if it can be done for less. If the Government property is worth a million dollars, are you going to eliminate—unless you make it a tubercular center, and that would not be fair to those people—five or six hundred thousand dollars of value to put up a school for 36 children?

Colonel KELLER. I dislike to disagree with you, sir.

Senator STANLEY. I am thinking aloud. I did not mean to state that as a fact at all. I should have said it occurred to me that is a fact. I have no pride of opinion in respect to that. You know, and I do not. I should have put it in the form of a question.

Colonel KELLER. We are proposing to put the junior high school on a part of that ground. If two other high schools are to go out there, there is land enough here for both of them.

Senator STANLEY. You have a school for normal children here, and you have a tubercular school over here, with this street between. I am free to say I would not have the slightest concern about my children going to that school, because I think the chances would be infinitesimal of infection by that disease. I have had some experience with tubercular commissions when I was governor and we went over that ground; but the average man and woman who have children playing with the tubercular children would not be satisfied with that situation.

Colonel KELLER. These very gentlemen opposing this school——

Senator STANLEY (interposing). I am thinking about the public interests. It does strike me as a very unfortunate thing that you are practically putting a tubercular school and a high school for wholesome children adjacent to each other.

Colonel KELLER. These children are not in the latter stages.

Senator STANLEY. I do not mean to say it would endanger their lives or health. I am talking of the moral effect on the people that patronize these schools, and the effect upon values.

Colonel KELLER. I might answer the question you imply by saying that the commissioners were directed to build this school on land belonging to the District of Columbia. The only site belonging to the District of Columbia that was even remotely suitable—and I think this is more than remotely suitable—was this site. If it is the will of Congress that we should build that school in some other place, we will be very glad to do it. I have no argument for that site other than it is the best site in our possession.

Senator STANLEY. I know the great difficulty that confronts you. Here a acres, and to put a tubercular hospital on them will affect the value of the wh acres and depreciate it two or three hundred thousand dollars.

Senator JONES. The hospital is already there.

Colonel KELLER. Before it went there the land was worth about 10 cents a s foot, and now it is worth from 50 to 80 cents. It has not prevented these very g men from going out there.

Senator STANLEY. It is like condemning land for railroad purposes. All the rounding land is increased by the fact that the railroad is there, but the adjacent is decreased in value by that same fact. The movement of population in the l years has enormously increased the value of that property. The tubercular ho did not do it. The only test is the value of land immediately adjacent.

Colonel KELLER. I think the land would be more valuable if the hospital wer there.

Senator STANLEY. Yes. I do not mean to say you should not put it there, was thinking it would be unfortunate to put a tubercular hospital and tuber school next to the school for healthy children, where the playgrounds are adjacen account of the moral effect on the people whose children attend the schools.

Senator JONES. It does not particularly affect the value of the Government The Government does not intend to sell it.

Senator CAPPER. Is there anything further? If not, the hearing will be close

(Thereupon, at 3.45 o'clock p. m., the hearing was closed and the comm adjourned.)

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